

PATENT  
600-1-162CP1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jeffrey M. Friedman et al.  
SERIAL NO. : 08/599,974 EXAMINER : Draper, G.  
FILED : February 14, 1996 ART UNIT : 1646  
FOR : DB, THE RECEPTOR FOR LEPTIN, NUCLEIC ACIDS  
ENCODING  
THE RECEPTOR, AND USES THEREOF

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to the  
ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231  
on April 18, 2001.

Christine E. Dierzel Reg. No. 37,309  
(Name of Registered Representative)

  
(Signature and Date)

**DECLARATION under 37 CFR 1.132**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

I, ANNE E. MARCHESANI, hereby declare and state that:

1. I am presently employed by the firm of Applicants' representative in the above-identified Patent Application, Klauber and Jackson, where I have been employed since April 1, 1995 and particularly presently act as the docketing clerk responsible for receiving and docketing all incoming actions, notices and related papers with respect to patent applications being prosecuted by Klauber and Jackson. I have acted as the sole and responsible docketing clerk for the firm since 1995.

2. As the firm's docketing clerk, I was responsible for receiving and docketing all incoming actions, notices and related papers with respect to patent applications being prosecuted by Klauber and Jackson, including those with respect to the above referenced Application, during the period of February 12, 1999. I understand that the U.S. Patent Office has asserted that a final action was mailed by the PTO on September 28, 1998 with respect to the instant Application U.S.S.N. 08/599,974.


3. I do not recall receiving and my records, including the firm's computer docket, do not indicate that any Action or Notice was received by our firm on or about February 12, 1999. Our records, as evidenced by the docket report attached as **Exhibit A**, indicate that an amendment was filed on July 7, 1998 in response to an Office Action mailed January 7, 1998. In addition, on November 20, 2000 an Information Disclosure Statement was filed with respect to the instant Application. Since July 1998, no correspondence, Action or Notice has been received and/or docketed by myself with respect to the instant Application. This is further evidenced by the recording of Office Actions on the face of the firm's file for U.S.S.N. 08/599,974 (attached as **Exhibit B**). The face of the firm's file similarly indicates that no Action or Notice has been received or entered in the file subsequent to the filing of Applicants' amendment of July 7, 1998.

4. I hereby submit the above facts and evidence regarding the Notices and Actions received and docketed with respect to the instant Application. These facts demonstrate that, to the best of my knowledge and belief, no Notice or Action has been received by Klauber and Jackson, Applicants' representative with respect to the instant Application, since mailing of Applicants' amendment on July 7, 1998. In particular, to the best of my knowledge and belief, no Office Action dated on or about February 12, 1999 was received by Klauber and Jackson with respect to U.S.S.N. 08/599,974.

5. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements are made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment or both under §10001 of Title 18 of

the United States code and that such wilful false statements may jeopardize the validity of the Application for any patent issuing thereon.

Date: April 11, 2000

  
ANNE E. MARCHESANI

MAY, -15' 02 (WED) 15:19

KLAUBER&JACKSON

P. 009

**EXHIBIT A**

## Actions Du

600-1-162CPI

11-Apr-2001

Client Matter #:	-1-162	Country:	US	Sub Case:	CP
Application #:	08/599,974	United States of America			
Filing Date:	14-Feb-1996	Status :	Pending		
Action Type:	Foreign Filing Cutoff		Action Base Date: 16-Jan-1996		
Response sent dt:					

Action(s) Due	Due Date	Indicator	Taken
Foreign Filing Cutoff Reminder	16-Nov-1996	Reminde	<input checked="" type="checkbox"/>
Foreign Filing Cutoff	16-Jan-1997	Due Date	<input checked="" type="checkbox"/>

Client Matter #:	-1-162	Country:	United States of America
Action Type:	Foreign Filing Cutoff		
Remarks:	Press CTRL-ENTER to start new line.		
UserId:	Admin	Date Created:	12-Mar-1996
		Last Update:	12-Mar-1996

## Actions Du

11-Apr-2001

Client Matter #:	1-162	Country:	US	Sub Case:	CP
Application #:	08/599,974	United States of America			
Filing Date:	14-Feb-1996	Status:	Pending		
Action Type:		US-Missing Parts		Action Base Date: 07-May-199	
Response sent dt:					

Action(s) Due	Due Date	Indicator	Taken
1ST Extension	07-Jul-1996	Due Date	<input checked="" type="checkbox"/>
2ND EXTENSION	07-Aug-1996	Due Date	<input checked="" type="checkbox"/>
3RD EXTENSION	07-Sep-1996	Due Date	<input checked="" type="checkbox"/>
MISSING PARTS DUE	07-Jun-1996	Due Date	<input checked="" type="checkbox"/>
NOTIFY CLIENT	21-May-1996	REMIND	<input checked="" type="checkbox"/>
4TH EXTENSION	07-Oct-1996	Final	<input checked="" type="checkbox"/>

Client Matter #:	1-162	Country:	United States of America
Action Type:		US-Missing Parts	
<b>Remarks:</b> Press CTRL-ENTER to start new line. 8/7 RESP. & SEQUENCE SENT W/ 2 MOS. 7/24 DECL. & POA RESENT TO CLIENT FOR EXECUTION. 7/8 REMINDER SENT.			
Userid:	Admin	Date Created:	15-May-199
		Last Update:	07-Aug-1996

Userid:	Admin	Date Created:	08-Apr-1997
		Last Update:	03-Sep-1997

Klauber & Jackson  
Attorneys At Law  
Continental Plaza  
411 Hackensack Avenue  
Hackensack, New Jersey 07601

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TELEPHONE: (201) 487-5800

THE FIRM'S FACSIMILE TRANSMITTERS:  
(201) 343-1684 or (201) 343-7544

TO: Eilene O'Hara  
FROM: Martha  
DATE: May 15, 2002  
PAGES TO FOLLOW: 20

Message:

As per our telephone conversation, enclosed is the correspondence that you requested. If you need any additional information, please call me.

Continuation of <sup>(3)</sup>last fax. I apologize  
~~but~~ but I am having a minor problem with  
our fax

File No. 600-1-162C/P1 Fax Tel No. 703-746-6901

If you have any questions regarding compatibility, you may reach us at (201) 487-5800.

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NOTE: The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (201-487-5800) and return the original transmission to us by mail without making a copy.

**Actions Due**

11-Apr-2001

<b>Client Matter #:</b>	-1-162	<b>Country:</b>	US	<b>Sub Case:</b>	CP
<b>Application #:</b>	08/599,974	United States of America			
<b>Filing Date:</b>	14-Feb-1996	<b>Status:</b>	Pending		
<b>Action Type:</b>		US-Missing Parts		<b>Action Base Date:</b> 07-May-199	
<b>Response sent dt:</b>					

Action(s) Due	Due Date	Indicator	Taken
1ST Extension	07-Jul-1996	Due Date	<input checked="" type="checkbox"/>
2ND EXTENSION	07-Aug-1996	Due Date	<input checked="" type="checkbox"/>
3RD EXTENSION	07-Sep-1996	Due Date	<input checked="" type="checkbox"/>
MISSING PARTS DUE	07-Jun-1996	Due Date	<input checked="" type="checkbox"/>
NOTIFY CLIENT	21-May-1996	REMIND	<input checked="" type="checkbox"/>
4TH EXTENSION	07-Oct-1996	Final	<input checked="" type="checkbox"/>

<b>Client Matter #:</b>	-1-162	<b>Country:</b>	United States of America
<b>Action Type:</b>		US-Missing Parts	
<b>Remarks:</b> Press CTRL-ENTER to start new line. 8/7 RESP. & SEQUENCE SENT W/ 2 MOS. 7/24 DECL. & POA RESENT TO CLIENT FOR EXECUTION. 7/8 REMINDER SENT.			
<b>UserId:</b>	Admin	<b>Date Created:</b>	15-May-199
		<b>Last Update:</b>	07-Aug-1996



**Actions Due**

11-Apr-2001

Client Matter #:	-1-162	Country:	US	Sub Case:	CP
Application #:	08/599,974	United States of America			
Filing Date:	14-Feb-1996	Status:	Pending		
Action Type:	US-Restriction		Action Base Date: 31-Mar-1997		
Response sent dt:					

Action(s) Due	Due Date	Indicator	Taken
1st Ext	30-May-1997	due Date	<input checked="" type="checkbox"/>
2nd Ext	30-Jun-1997	Due Date	<input checked="" type="checkbox"/>
3rd Ext	30-Jul-1997	Due Date	<input checked="" type="checkbox"/>
Due Date - Election	30-Apr-1997	Due Date	<input checked="" type="checkbox"/>
Final Deadline	30-Aug-1997	Final	<input checked="" type="checkbox"/>
STATUS	21-Apr-1997	Reminde	<input checked="" type="checkbox"/>

Client Matter #:	-1-162	Country:	United States of America
Action Type:	US-Restriction		
<b>Remarks:</b> Press CTRL-ENTER to start new line. 9/2/97 RESP. FLD. W/ 4 MOS. 4/11/97 REPT'D. TO CLIENT VIA FAX. 4/16/97 SEQ. LISTING SENT.			
UserId:	Admin	Date Created:	08-Apr-1997
		Last Update:	03-Sep-1997

**Actions Due**

11-Apr-2001

<b>Client Matter #:</b>	-1-162	<b>Country:</b>	US	<b>Sub Case:</b>	CP
<b>Application #:</b>	08/599,974	United States of America			
<b>Filing Date:</b>	14-Feb-1996	<b>Status :</b>	Pending		
<b>Action Type:</b>		US-3 MO. OA		<b>Action Base Date:</b> 07-Jan-1998	
<b>Response sent dt:</b>					

Action(s) Due	Due Date	Indicator	Taken
1ST EXT	07-May-1998	Due Date	<input checked="" type="checkbox"/>
2ND EXT	07-Jun-1998	Due Date	<input checked="" type="checkbox"/>
3RD EXT	07-Jul-1998	Final	<input checked="" type="checkbox"/>
NOTIFY CLIENT	21-Jan-1998	Reminde	<input checked="" type="checkbox"/>
OA DUE DATE	07-Apr-1998	Due Date	<input checked="" type="checkbox"/>
1 MO. REMINDER	07-Mar-1998	Reminde	<input checked="" type="checkbox"/>
2 MO. REMINDER	07-Feb-1998	Reminde	<input checked="" type="checkbox"/>
FINAL EXT. REMINDER	21-Jun-1998	Reminde	<input checked="" type="checkbox"/>

<b>Client Matter #:</b>	-1-162	<b>Country:</b>	United States of America
<b>Action Type:</b>	US-3 MO. OA		
<b>Remarks:</b> Press CTRL-ENTER to start new line. 7/7/98 AMEND. FLD. W/ 3 MOS.			
<b>UserId:</b>	Admin	<b>Date Created:</b>	13-Jan-1998
		<b>Last Update:</b>	11-Apr-2001

**Actions Due**

11-Apr-2001

Client Matter #:	1-162	Country:	US	Sub Case:	CP
Application #:	08/599,974	United States of America			
Filing Date:	14-Feb-1996	Status:	Pending		
Action Type:	Invention Disclosure Statement			Action Base Date:	14-Feb-1996
Response sent dt:					

Action(s) Due	Due Date	Indicator	Taken
Invention Disclosure Statement	14-Mar-1996	Reminde	<input checked="" type="checkbox"/>
Invention Disclosure Statement	14-May-1996	Due Date	<input checked="" type="checkbox"/>

Client Matter #:	1-162	Country:	United States of America
Action Type:	Invention Disclosure Statement		
Remarks:	Press CTRL-ENTER to start new line.		
11/20/00 FLD. IDS.			
Userld:	Admin	Date Created:	12-Mar-199
Last Update:	11-Apr-2001		

**EXHIBIT B**

CODING THE RECEPTOR, AND

S. THERRECE  
JEFFREY M. FREEDMAN,  
GWO-HWA LEE, RICARDO TROENCA

INVENTOR Jeffrey M. Freedman, Gwo-Hwa Lee and Ricardo Troenca  
SERIAL NO. 081599,974 FILED February 14, 1996  
TITLE DB, the Receptor for Leptin, Nucleic Acids encoding the Receptor, and uses thereof  
SIGNEE The Rockefeller University  
SIGNMENT RECORDED February 10, 1997 REEL 8339 FRAME 0857

## OFFICE ACTIONS

## AMENDMENTS

RESTRICTION: 3-31-97 DUE: 4-30-97 FILED: 9-2-97 w/1 mo.  
PA Ltd 1/7/98 Due: 4/7/98 Filed: 7/7/98 w/3 mos.

CANADIAN

OTHER FOREIGN

SERIAL NO.

LOWED

FINAL FEE PAID

INVENT NO.

DATE